

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH
NORTHERN DIVISION

PHILLIP M. ADAMS & ASSOCIATES,
LLC, a Utah Limited Liability Company,

Plaintiff,

vs.

WINBOND ELECTRONICS
CORPORATION, ASUS COMPUTER
INTERNATIONAL, MICRO-STAR
INTERNATIONAL CORP., LTD, AND
MSI COMPUTER CORP., et al.,

Defendants.

MEMORANDUM DECISION AND
ORDER DENYING ASUS' MOTION
FOR PARTIAL SUMMARY
JUDGMENT ON ITS LACHES
DEFENSE

Case No. 1:05-CV-64 TS

ASUS¹ seeks partial summary judgment on its laches defense. MSI² joined the Motion without a separate brief. The laches defense related to the availability of pre-filing damages as to the remaining patents-in-suit. The Court finds that there are material issues of fact on the laches defense. It is therefore


¹Asustek Computer and Asus Computer Intl.

²MSI Computer Corporation and Micro-Star International Corporation, Ltd.

ORDERED that ASUS' Motion for Partial Summary Judgment on its Laches Defense (Docket No. 1019) is DENIED and the Motion is also DENIED as joined by MSI and, therefore, MSI's Motion for Joinder (Docket No. 1062) is MOOT.

DATED August 23, 2010.

BY THE COURT:



TED STEWART
United States District Judge